

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

	:	Case No. 3:
Plaintiff(s),	:	
v.	:	TRIAL ORDER/ TRIAL
	:	<u>INSTRUCTIONS</u>
Defendant(s).	:	

A final pretrial conference will be held on _____. Counsel are directed to have principal parties or representatives with full settlement authority attend such conference in person.

Jury empanelment will commence on _____ in the courtroom of Magistrate Judge Vernelis K. Armstrong, Courtroom No. 312, United States Courthouse, 1716 Spielbusch Avenue, Toledo, Ohio, 43624, and trial will commence immediately following empanelment.

TRIAL BRIEFS

Trial briefs and motions *in limine* shall be filed and served upon opposing counsel at least two (2) weeks prior to trial. Opposition to motion(s) in limine shall be filed one week prior to trial.

Trial briefs should include: a statement of the facts; the contested issues; discussion of the controlling law; and a discussion of evidentiary issues likely to arise at trial.

WITNESSES AND EXHIBITS

Counsel shall file its witness list one week prior to trial. Leave to call additional witnesses may be granted by the Court in unusual situations. Counsel seeking such leave must file a motion to add witnesses and serve a copy upon opposing counsel with names, addresses and an offer of proof of such witness' testimony at least three (3) days prior to trial.

A copy of all exhibits shall be furnished to the Court no later than two (2) working days prior to the trial date. Such exhibits shall be delivered directly to the magistrate judge's chambers. The original exhibits should be retained by counsel to be introduced at trial.

Counsel shall exchange copies of all exhibits and exhibit indexes no later than two (2) working days before trial.

Exhibits must be marked before trial with exhibit stickers, which are available from the clerk's office. The plaintiff shall mark exhibits with numbers and the defendant shall mark exhibits with letters. If the defendant has more than 26 exhibits, double letters shall be used (i.e., AA, BB, CC, etc.).

The Court encourages counsel to use binders or notebooks for exhibits.

STIPULATIONS OF FACT

Counsel for the plaintiff shall prepare and submit to opposing counsel by _____ proposed stipulations as to undisputed facts for use at trial, and for submission to the jury in the event of a jury trial. Opposing counsel should submit revised or agreed, proposed stipulations to counsel for plaintiff by _____. Counsel

shall submit by _____ their signed stipulation as to undisputed facts, reserving any objections as to relevancy to the magistrate judge.

VIDEOTAPE DEPOSITIONS

In the event videotape depositions will be used, the parties are directed to comply with the provisions of Local Rule 32.1.

JURY TRIALS

Counsel are asked to meet with the undersigned in her office in Room 318 at _____ on _____. Counsel for the parties are directed to submit to the court one week prior to trial, a Joint Concise Statement of Facts to be read to the jury, a list of voir dire questions and proposed jury instructions. **COUNSEL SHOULD CONFER IN PERSON AND, TO THE EXTENT POSSIBLE, AGREE UPON A COMPLETE SET OF JURY INSTRUCTIONS.** Proposed jury instructions, which are disputed by the parties, shall be submitted to the court and opposing counsel with citations of appropriate legal authority. A copy of juror questionnaires will be available for examination by counsel at Noon in the Clerk's Office, Room 114, on the day prior to jury empanelment. The Court will conduct the voir dire examination of the jury, and will permit additional examination by counsel.

So ordered.

Vernelis K. Armstrong
United States Magistrate Judge